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JUN 13 2001

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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN WASHINGTON GORDON,	:	
Plaintiff	:	
	:	Civil No. 1:CV-01-0331
v.	:	
	:	(Judge Rambo)
N. GONZALEZ, <u>et al.</u> ,	:	
Defendants	:	

BRIEF IN SUPPORT OF DEFENDANTS' MOTION FOR LEAVE
TO FILE A BRIEF IN EXCESS OF FIFTEEN PAGES

Defendants have requested the Court to permit them to exceed the fifteen-page limit as provided in M.D. Pa. Local Rule 7.8 in filing their brief in support of defendants' motion to dismiss or, in the alternative, for summary judgment. The reasons for this motion are as follows:

1. On June 5, 2001, defendants filed a motion to dismiss or, in the alternative, for summary judgment.
2. The complaint is a Bivens action against six Bureau of Prisons ("BOP") employees alleging that Gordon was assaulted by BOP employees and that BOP medical personnel failed to provide medical care for his injuries after the alleged

assault. Gordon seeks "medical relief, declaratory and injunction relief, as well as \$5,000,000.00 dollars in compensatory and punitive damages," attorney's fees and costs and "any further relief this Honorable Court deems just proper (sic)."

3. It is defendants' belief that the allegations, in whole or in part, fail to state a claim and that the undisputed facts establish that defendants are entitled to dismissal and/or summary judgment.

4. Because of the number of defendants named in Gordon's complaint, various legal claims and defenses and the need to address all of the underlying facts relevant to each of the claims, it may not be possible to address each of Gordon's allegations and defendants' defenses to them in a fifteen-page brief.

5. Defendants submit that their response will be no longer than twenty pages in length, and likely less.

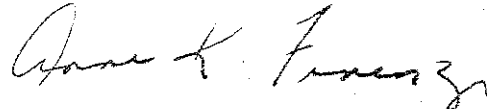
6. Gordon will not be prejudiced in granting this motion; indeed, granting this motion should assist Gordon in understanding all of defendants' defenses.

Wherefore, defendants request this Court to grant their request for leave to file their brief in support of defendants'

motion to dismiss or, in the alternative, for summary judgment in excess of the fifteen-page limit.

Respectfully submitted,

MARTIN C. CARLSON
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Dated: June 13, 2001

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

JUKEN WASHINGTON GORDON, :
Plaintiff :
 : Civil No. 1:CV-01-0331
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 : (Judge Rambo)
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Defendants :

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Middle District of Pennsylvania and is a person of such age and discretion to be competent to serve papers.


That this 13th day of June, 2001, she served a copy of the attached

BRIEF IN SUPPORT OF DEFENDANTS' MOTION FOR LEAVE TO FILE
A BRIEF IN EXCESS OF FIFTEEN PAGES

by placing said copy in a postpaid envelope addressed to the person hereinafter named, at the place and address stated below, which is the last known address, and by depositing said envelope and contents in the United States Mail at Harrisburg, Pennsylvania.

ADDRESSEE:

Juken Washington Gordon
Reg. No. 05373-088
USP Allenwood
P.O. Box 3000
White Deer, PA 17887


ANITA L. LIGHTNER
Paralegal Specialist